5795107/2022/TAPPAL-REV01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - Prakasam District - Sri K M.Kotaiah, former VRO, Markapur-4 of Markapur Mandal - Violation of APCS (Conduct) Rules, 1964 - Departmental proceedings under rule 20 of A.P.C.S. (CC & A) Rules, 1991 - Articles of charges - Issued.

****

REVENUE (VIGILANCE.III) DEPARTMENT

G.O.Rt.No.269

Dated:18.04.2022.
Read the following:-

1. From the CCLA, Lr.No.V.A-II (1)/677/2021, Dt:18.01.2022
2. G.O.Ms.No.262, Revenue (Vig.III) Department, Dt:18.04.2022.

--***--

ORDER:

It is proposed to hold an enquiry against Sri K M.Kotaiah, former VRO, Markapur-4 of Markapur Mandal in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the enquiry is proposed to be held is set out in the enclosed statement of Articles of charges (Annexure–I). A statement of imputations of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charges are proposed to be sustained are also enclosed (Annexure - III & IV).

3. Sri M.Kotaiah, VRO is directed to submit, within 10 days of the receipt of this order, a written statement of his defense.

4. Sri M.Kotaiah, VRO is informed that an enquiry will be held only in respect of those articles of charges as are not admitted. He should therefore, specifically admit or deny each article of charge.

5. Sri M.Kotaiah, VRO is further informed that if he does not submit his written statement of defense on or before the date specified in Para–3 above, further action will be processed based on the material available.

6. Attention of Sri M.Kotaiah, former VRO, Markapur-4 of Markapur Mandal is invited to Rule 24 of A.P.C.S (Conduct) Rules 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings it will be presumed that Sri K M.Kotaiah, former VRO, Markapur-4 of Markapur Mandal is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G. SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

To
Sri K M.Kotaiah, former VRO, Markapur-4 of Markapur Mandal through the Collector & District Magistrate, Prakasam District, Ongole.

Copy to:
The Chief Commissioner of Land Administration, A.P., Vijayawada.
The Collector & District Magistrate, Prakasam District, Ongole.
Sf/Sc.

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE - I

ARTICLES OF CHARGE FRAMED AGAINST SRI MAKAM KOTAIAH, FORMER VRO, MARKAPUR-4 OF MARKAPUR MANDAL

***

Article of charge 1: Sri Makam Kotaiah, VRO, Markapur-4 of Markapur Mandal (now under suspension) while working as Village Revenue Officer, Markapur-4 and being a Village Revenue Officer and record verifying authority has recommended the following lands in Markapur Village in favour of applicants without any evidence i.e acquisition right. The above act was done by Sri Makam Kotaiah, VRO, Markapur-4 of Markapur Mandal, without amending connected manual ROR records, without field verification and processed the file without following procedure contemplated in Act, Rules and guidelines and thereby failed to follow the Rules contemplated in Section 4 & 5 of A.P.Rights in Land & Pattadar Pass Books Act, 1971 r/w Rules 6 to 9 of A.P.Rights in Land & Pattadar Pass Books Rules, 1989.

Sl.No	Name of the applicant	Sy. No	Extent recommended for mutation in Ac.	Classification as per RSR
1	Adaka Rajeswari, W/o Avularaju	1347-1	0.70	Patta land
Total extent			0.70	

Article of charge 2: Sri Makam Kotaiah, VRO, Markapur-4 of Markapur Mandal (now under suspension) while working as Village Revenue Officer, Goguladinne I/c and being a Village Revenue Officer and record verifying authority has recommended the following lands in Markapur Village in favour of applicants without any evidence i.e acquisition right. The above act was done by Sri Makam Kotaiah, VRO, Markapur-4 of Markapur Mandal, without amending connected manual ROR records, without field verification and processed the file without following procedure contemplated in Act, Rules and guidelines and thereby failed to follow the Rules contemplated in Section 4 & 5 of A.P.Rights in Land & Pattadar Pass Books Act, 1971 r/w Rules 6 to 9 of A.P.Rights in Land & Pattadar Pass Books Rules, 1989.

Sl.No	Name of the applicant	Sy. No	Extent recommended for mutation in Ac.	Classification as per RSR
1	Shaik Nagoor Bee, W/o Hussain Basha	71/4	1.85	No subdivisions for 71/4 UAW
2	Gottemukkala Anjani Devi, W/o Srinivasulu	71/3	3.00	UAW
3	Gummalapati Tirumala Devi, W/o Koteswara rao	57/5 57/10 67/1	0.46 1.00 0.67	UAW
	Total		6.98	

Thus, Sri Makam Kotaiah, VRO, Markapur-4 of Markapur Mandal (now under suspension) deliberately violated the rules, which amounts to misconduct and exhibited lack of integrity, devotion to duty which is unbecoming for a Government Servant and thereby violated Rule 3 of APCS [Conduct] Rules, 1964. Hence the Charge.

Article of charge 3: Sri Makam Kotaiah, Village Revenue Officer while working as Village Revenue Assistant has tampered the village records and created fake D-Form Pattas for the Sy.No.51/2, Ac.2.00 Cents(dotted land), Sy.No.63/1, Ac.1.35(Service Inam), Sy.No.1114/2, Ac.1.11 cents (Sy.No not existed in RSR) in favour of Makam Yelamandha, S/o Makam Kotaiah & Sy.No.51/2, Ac.2.00 Cents(dotted land), Sy.No.63/1, Ac.1.35(Service Inam), Sy.No.1114/2, Ac.1.11 cents (Sy.No not existed in RSR) in favour of Makam Koteswara Rao; Sy.No.290/2, Ac.4.50 cents (dotted land) in

favour of Makam Sujatha, W/o Makam Koteswara Rao of Idupur Village and applied for mutation of lands in favour of them.

Thus, Sri Makam Kotaiah, former VRA, Idupur Village and present Village Revenue Officer, Markapur-4 of Markapur Mandal (now under suspension) deliberately violated the rules, which amounts to misconduct and exhibited lack of integrity, devotion to duty which is unbecoming for a Government Servant and thereby violated Rule 3 of APCS[Conduct] Rules,1964. Hence the Charge.

G. SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE - II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF ARTICLES OF CHARGES FRAMED AGAINST SRI MAKAM KOTAIAH, FORMER VRO, MARKAPUR-4 OF MARKAPUR MANDAL

---***---

1. The Special Collector(LA), PS Veligonda Project, Prakasam District, Ongole has reported that the Joint Collector, Prakasam has appointed her as Enquiry Officer on adverse news published in news papers on irregular mutations carried out by the then Tahsildar and other revenue staff working in Markapur Mandal Revenue Office.

2. The Special Collector (LA), PSVP, Ongole further reported that all the revenue records and mutation files of all villages were obtained from RDO, Markapur and enquired in detail on the mutations carried out and approved between the period from 01.06.2021 to 30.06.2021. She has personally verified all the mutation files after obtaining village records from Tahsildar, Markapur at RDO's Office, Markapur and Special Collector (LA) Office, Ongole in the presence of the present Tahsildar, Markapur and other staff members of MRO Office, Markapur.

3. The Special Collector (LA), PSVP, Ongole further stated that she has verified the mutation files in co-relation with RSR, FLR, ROR IA & IB Registers, 22-A Registers of respective villages. After verification of connected records with mutation files and found to be committed by the revenue staff of Tahsildar's Office and Village Revenue Officers involved in irregular mutations.

4. The Special Collector (LA), PSVP, Ongole further reported that the staff who are working under the control of Tahsildar's Office, Markapur and the then Tahsildar (retired on 30.06.2021) who carried out irregular mutations in Govt. lands, Patta lands and Poramboke lands are deserved for taking appropriate disciplinary action based on the entries made in webland data base and recommended for Pattadar Passbooks to the persons who are not eligible for mutations.

5. The then Tahsildar, Sri P.Vidhyasagarudu directly mutated Patta lands, Government lands, Hill Streams, Kunta Porambokes, Highway roads in favour of ineligible applicants without recommendations of Village Revenue Officers and Mandal Revenue Inspector.

6. The Special Collector (LA), PSVP, Ongole further stated that during her discreet enquiry reveals that the Revenue Staff, the then Tahsildar, Sri P.Vidhyasagarudu, Sri N.Gopi, Revenue Inspector and 13 VROs and one village Surveyor listed in Annexure-II are not verified the title and possession of pattadars, assignees and created dispute on Government lands and patta lands with the irregular mutations in webland based registered and recommended for PPBs.

7. In view of the above, it is proposed to initiate disciplinary action against Sri Makam Kotaiah, VRO, Markapur-4 of Markapur Mandal.

G. SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE - III

LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGE FRAMED AGAINST IN SUPPORT OF ARTICLES OF CHARGES FRAMED AGAINST SRI MAKAM KOTAIAH, FORMER VRO, MARKAPUR-4 OF MARKAPUR MANDAL ARE PROPOSED TO BE SUSTAINED.

****

1. Special Collector(LA), PS Veligonda Project, Prakasam District, Ongole, Rc.A/99/2021, dated.23.07.2021.
2. Special Collector (LA), PS Veligonda Project, Prakasam District, Ongole, Rc.A/99/2021, dated.04.08.2021.

G. SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE - IV

LIST OF WITNESS BY WHOM THE ARTICLES OF CHARGE FRAMED AGAINST SRI MAKAM KOTAIAH, FORMER VRO, MARKAPUR-4 OF MARKAPUR MANDAL ARE PROPOSED TO BE SUSTAINED.

****

Special Collector(LA), PSVP, Ongole

G. SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

//FORWARDED::BY ORDER//

SECTION OFFICER